

# Memorandum

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**To:** CHAIR AND COMMISSIONERS  
CALIFORNIA TRANSPORTATION COMMISSION

**CTC Meeting:** August 20, 2014

**Reference No:** 2.4e.(1)  
Action Item

**From:** NORMA ORTEGA  
Chief Financial Officer

**Prepared by:** Brent L. Green, Chief  
Division of Right of Way and  
Land Surveys

**Subject:** **RESCINDING RESOLUTION OF NECESSITY**  
**RESOLUTION CR-149, RESCINDING RESOLUTION C-20983**

## **RECOMMENDATION:**

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) adopt Resolution CR-149, rescinding Resolution of Necessity (Resolution) C-20983. In accordance with statutory requirements, the owner has been advised that the Department is requesting rescission of Resolution C-20983.

## **ISSUE:**

On December 6, 2012, the Commission adopted Resolution C-20983. Resolution C-20983 is now being rescinded because additional Right of Way requirements have been identified.

## **BACKGROUND:**

Resolution C-20983 was adopted December 6, 2012, authorizing condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, a temporary easement for construction purposes, and easements for utility and drainage purposes. However, subsequent to the adoption of Resolution C-20983 additional Right of Way requirements have been identified, and therefore an eminent domain case was not filed. Based on above, it is requested that Resolution C-20983 be rescinded at the August 20, 2014 Commission meeting.

### CR-149 - Juan Tanaka and Samantha Tanaka

07-LA-60-PM 22.3 - Parcel 79951-1, 2, 3, 4, 5 - EA 224109.

Right of Way Certification Date: 12/12/14; Ready to List Date: 02/27/15. Freeway - construct interchange. Rescinds Resolution of Necessity C-20983, adopted December 6, 2012, which authorized condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, a temporary easement for construction purposes, easements for utility purposes to be conveyed to Southern California Edison and Verizon, and an easement for utility and drainage purposes to be conveyed to the owners of Lots 1-99, inclusive, of Tract No. 25391 in the County of Los Angeles. Resolution C-20983 is rescinded because additional right of way requirements have been identified. Located in the city of Diamond Bar at 20521 Flintgate Drive. Assessor's Parcel Number 8762-034-001.